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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary

Application No.

10/537,890

Applicant(s)

SOUNDARARAJAN, ARAVIND

Examiner

JUNIOR O. MENDOZA

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claim 11** is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The claim discloses "receiving another text message from another source set top box", which is not described in the specification; therefore, the examiner suggests that such feature be modified to "receiving a text message from another source set top box".

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 18** is rejected under 35 U.S.C. 103(a) as being unpatentable over McKissick et al. (Pub No US 2007/0124795) in view of Danker et al. (Pub No US 2003/0208777). Hereinafter referenced as McKissick and Danker, respectively.

Regarding **claim 18**; McKissick discloses a method of communicating comprising:

receiving a broadcasted, output transport stream including a plurality of data packets on a destination set top box (Paragraphs [0076] [0131] figs 3 and 19);

a text message originated on a source, set top box (Paragraph [0077] fig 3; message server 118).

However, it is noted that McKissick fails to explicitly disclose responsive to a destination set top box identifier contained in the output transport stream, demultiplexing said broadcasted, output transport stream at said destination set top box into a text message.

Nevertheless, in a similar field of endeavor Danker discloses responsive to a destination set top box identifier contained in the output transport stream, demultiplexing said broadcasted, output transport stream at said destination set top box into a text message (Paragraphs [0003] [0011] [0015] [0016] fig 1);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Danker, for the purpose of allowing the transportation of

the messages through the cable distribution infrastructure together with regular television programming, which avoids the need to include extra transmission mediums.

5. **Claims 1 – 17 and 19 – 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over McKissick in view of Danker further in view of Oshita (Patent No US 5,796,441). Hereinafter referenced Oshita.

Regarding **claim 1**; McKissick discloses a method of communicating comprising: receiving a text message from a user of a source set top box (Paragraphs [0076] [0131] figs 3 and 19);

transmitting the text message from the source set top box to an exchange (Paragraph [0077] fig 3; message server 118);

wherein said text message includes an identifier of a destination set top box (Paragraphs [0094] [0095] figs 6B and 14),

wherein said text message includes an identifier of said source set top box (Paragraph [0130] fig 18),

and broadcasting said output transport stream to the destination set top box (Paragraph [0083]; the message may be provided as a digital data stream that accompanies other streams such as TV programs, i.e. video and audio).

However, it is noted that McKissick fails to explicitly disclose that the plurality of data packets include said text message, an identifier of a destination set top box, and a packet header information; forwarding said plurality of data packets to a multiplexor;

multiplexing said plurality of data packets and audio data and video data into an output transport stream.

Nevertheless, in a similar field of endeavor Danker discloses that the plurality of data packets include said text message, an identifier of a destination set top box, and a packet header information (Paragraphs [0003] [0011] [0016] fig 1);

forwarding said plurality of data packets to a multiplexor (Paragraphs [0014] [0015] figs 1 and 2);

multiplexing said plurality of data packets and audio data and video data into an output transport stream (Paragraphs [0014] [0015] figs 1 element 24);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Danker, for the purpose of allowing the transportation of the messages through the cable distribution infrastructure together with regular television programming, which avoids the need to include extra transmission mediums.

However, it is noted that McKissick and Danker still fail to explicitly disclose packetizing at the exchange said text message into a plurality of data packets.

Nevertheless, in a similar field of endeavor Oshita discloses packetizing at the exchange said text message into a plurality of data packets (Col. 1 lines 65-67, col. 2 lines 1-5)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick and Danker by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of implementing a

component that bundles the data and formats it for delivery over the network, optimizing the media streams against packet loss.

Regarding **claim 2**; McKissick, Danker and Oshita disclose the method of claim 1; however, McKissick and Danker fail to explicitly disclose assigning a reserved program identifier to the data packets, and wherein the output transport stream is an MPEG-2 format.

Nevertheless, in a similar field of endeavor Oshita discloses assigning a reserved program identifier to the data packets, and wherein the output transport stream is an MPEG-2 (Col. 1 lines 62-67, col. 2 lines 1-5, col. 3 lines 7-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick and Danker by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of allowing the packets to reach the right recipients implementing a well known video format.

Regarding **claim 3**; McKissick, Danker and Oshita disclose the method of claim 2; moreover, McKissick discloses at the destination set box: receiving the output transport stream at the destination set top box (Paragraphs [0063] [0127] fig 18).

However, it is noted that McKissick fails to explicitly disclose comparing the reserved program identifier to an identifier of the destination set top box; and responsive to the comparison, displaying the text message.

Nevertheless, in a similar field of endeavor Danker discloses comparing the reserved program identifier to an identifier of the destination set top box; and responsive to the comparison, displaying the text message (Paragraphs [0003] [0016]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Danker, for the purpose of making sure that only the receivers allowed to receive a message have access to it.

Regarding **claim 4**; McKissick, Danker and Oshita disclose the method of claim 2; however, McKissick fails to explicitly disclose the step of demultiplexing the data packets, audio data and video data from the transport stream.

Nevertheless, in a similar field of endeavor Danker discloses the step of demultiplexing the data packets, audio data and video data from the transport stream (Paragraphs [0016] [0017] [0025]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Danker, for the purpose of allowing users to retrieve the receive content locally.

Regarding **claim 5**; McKissick, Danker and Oshita disclose the method of claim 3; moreover, McKissick discloses receiving said broadcasted, output transport stream at said destination set top box (Paragraph [0014] fig 3).

Regarding **claim 6**; McKissick, Danker and Oshita disclose the method of claim 1; moreover, McKissick discloses that said transmitting is done via telephone or cable (Paragraph [0013] and [0051] also exhibited on fig 3).

Regarding **claim 7**; McKissick, Danker and Oshita disclose the method of claim 3; moreover, McKissick discloses that said broadcasting is done via satellite, cable, or wireless (Paragraph [0013] and [0051] also exhibited on fig 3; link 18 may be a satellite link, a cable link, a microwave link, or a telephone link).

Regarding **claim 8**; McKissick, Danker and Oshita disclose the method of claim 5; moreover, McKissick discloses that said receiving is done via satellite, cable, or wireless (Paragraph [0013] and [0051] also exhibited on fig 3; link 18 may be a satellite link, a cable link, a microwave link, or a telephone link).

Regarding **claim 9**; McKissick, Danker and Oshita disclose the method of claim 4; however, McKissick fails to explicitly disclose demultiplexing said broadcasted, output transport stream at said destination set top box into said text message.

Nevertheless, in a similar field of endeavor Danker discloses demultiplexing said broadcasted, output transport stream at said destination set top box into said text message (Paragraphs [0016] [0017] [0025]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Danker, for the purpose of allowing users to retrieve the receive content locally.

Regarding **claim 10**; McKissick discloses a method of communicating comprising: receiving a text message from a source set top box (Paragraphs [0076] [0131] figs 3 and 19);

wherein said text message includes an identifier of said source set top box (Paragraph [0130] fig 18).

However, it is noted that McKissick fails to explicitly disclose that said plurality of data packets include said text message, an identifier of a destination set top box, and a packet header information; and forwarding said plurality of data packets to multiplexor that produces a transport stream containing the data packets, audio data and video data.

Nevertheless, in a similar field of endeavor Danker discloses that said plurality of data packets include said text message, an identifier of a destination set top box, and a packet header information (Paragraphs [0003] [0011] [0016] fig 1);

and forwarding said plurality of data packets to multiplexor that produces a transport stream containing the data packets, audio data and video data (Paragraphs [0014] [0015] figs 1 element 24);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Danker, for the purpose of allowing the transportation of the messages through the cable distribution infrastructure together with regular television programming, which avoids the need to include extra transmission mediums.

However, it is noted that McKissick and Danker still fail to explicitly disclose packetizing said text message into a plurality of data packets.

Nevertheless, in a similar field of endeavor Oshita discloses packetizing said text message into a plurality of data packets (Col. 1 lines 65-67, col. 2 lines 1-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick and Danker by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of implementing a component that bundles the data and formats it for delivery over the network, optimizing the media streams against packet loss.

Regarding **claim 11**; McKissick, Danker and Oshita disclose the method of claim 10; moreover, McKissick discloses the step of receiving another text message from another source set top box (Paragraphs [0076] [0131] figs 3 and 19);

wherein said text message includes an identifier of said source set top box (Paragraph [0130] fig 18).

However, it is noted that McKissick fails to explicitly disclose that the plurality of data packets includes the another text message, an identifier of another destination set top box.

Nevertheless, in a similar field of endeavor Danker discloses that the plurality of data packets includes the another text message, an identifier of another destination set top box (Paragraphs [0003] [0011] [0016] fig 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Danker, for the purpose of allowing the transportation of the messages through the cable distribution infrastructure together with regular television programming, which avoids the need to include extra transmission mediums.

However, McKissick and Danker still fail to explicitly disclose that said plurality of data packets are packetized into a MPEG 2 format.

Nevertheless, in a similar field of endeavor Oshita discloses that said plurality of data packets are packetized into a MPEG 2 format (Col. 1 lines 62-67, col. 2 lines 1-5, col. 3 lines 7-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick and Danker by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of allowing the packets to reach the right recipients implementing a well known video format.

Regarding **claims 12 and 13**, McKissick, Danker and Oshita disclose all the limitations of claims 12 and 13; therefore, claims 12 and 13 are rejected for the same reasons as in claim 8.

Regarding **claim 14**; McKissick discloses a method of communicating comprising: receiving a plurality of text messages, wherein said plurality of text messages originated at a plurality of source set top boxes (Paragraphs [0076] [0131] also exhibited on figures 3 and 19);

and broadcasting said output transport stream to a plurality of destination set top boxes (Paragraph [0083]; the message may be provided as a digital data stream that accompanies other streams such as TV programs, i.e. video and audio).

However, it is noted that McKissick fails to explicitly disclose multiplexing said plurality of data packets, destination set top box identifiers, and audio data and video data into an output transport stream;

Nevertheless, in a similar field of endeavor Danker discloses multiplexing said plurality of data packets, destination set top box identifiers, and audio data and video data into an output transport stream (Paragraphs [0003] [0011] [0015] [0016] fig 1);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Danker, for the purpose of allowing the transportation of

the messages through the cable distribution infrastructure together with regular television programming, which avoids the need to include extra transmission mediums.

However, it is noted that McKissick and Danker still fail to explicitly disclose packetizing said plurality of text messages into a plurality of data packets.

Nevertheless, in a similar field of endeavor Oshita discloses packetizing said plurality of text messages into a plurality of data packets (Col. 1 lines 65-67, col. 2 lines 1-5)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick and Danker by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of implementing a component that bundles the data and formats it for delivery over the network, optimizing the media streams against packet loss.

Regarding **claim 15**; McKissick, Danker and Oshita disclose the method of claim 14; moreover, McKissick discloses that said plurality of text messages are received via telephone or cable (Paragraph [0013] and [0051] also exhibited on fig 3; link 18 may be a satellite link, a cable link, a microwave link, or a telephone link).

However, it is noted that McKissick fails to explicitly disclose that the output transport stream is an MPEG-2 format.

Nevertheless, in a similar field of endeavor Oshita discloses that the output transport stream is an MPEG-2 format (Col. 1 lines 62-67, col. 3 lines 7-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick and Danker by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of allowing the packets to reach the right recipients implementing a well known video format.

Regarding **claims 16 and 17**, McKissick, Danker and Oshita disclose all the limitations of claims 16 and 17; therefore, claims 16 and 17 are rejected for the same reasons as in claims 7 and 9, respectively..

Regarding **claim 19**, McKissick, Danker and Oshita disclose all the limitations of claim 19; therefore, claim 19 is rejected for the same reasons as in claim 15.

Regarding **claim 20**; McKissick discloses a system for communicating comprising:

a service station adapted to receive a plurality of text messages sent from a plurality of source set top boxes (Paragraphs [0076] [0077] fig 3; message server 118),
and broadcasting means for broadcasting said output transport stream to a plurality of destination set top boxes (Paragraph [0083]; the message may be provided as a digital data stream that accompanies other streams such as TV programs, i.e. video and audio).

However, it is noted that McKissick fails to explicitly disclose a multiplexor in communication with said service station adapted to multiplex said plurality of data packets, destination set top box identifiers, and audio data and video data into an output transport stream (Paragraphs [0003] [0011] [0015] [0016] fig 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Danker, for the purpose of allowing the transportation of the messages through the cable distribution infrastructure together with regular television programming, which avoids the need to include extra transmission mediums.

However, it is noted that McKissick and Danker still fail to explicitly disclose that said service station packetizes said plurality of text messages into a plurality of data packet.

Nevertheless, in a similar field of endeavor Oshita discloses that said service station packetizes said plurality of text messages into a plurality of data packet (Col. 1 lines 65-67, col. 2 lines 1-5)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick and Danker by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of implementing a component that bundles the data and formats it for delivery over the network, optimizing the media streams against packet loss.

Regarding **claim 21**; McKissick, Danker and Oshita disclose the method of claim 20; moreover, McKissick discloses that said broadcasting means is a satellite (Paragraph [0013] and [0051] also exhibited on fig 3; link 18 may be a satellite link, a cable link, a microwave link, or a telephone link).

However, it is noted that McKissick fails to explicitly disclose that the output transport stream is an MPEG-2 format.

Nevertheless, in a similar field of endeavor Oshita discloses that the output transport stream is an MPEG-2 format (Col. 1 lines 62-67, col. 3 lines 7-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick and Danker by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of allowing the packets to reach the right recipients implementing a well known video format.

Regarding **claims 22 and 23**, McKissick, Danker and Oshita disclose all the limitations of claims 22 and 23; therefore, claims 22 and 23 are rejected for the same reasons as in claim 7.

Regarding **claim 24**; McKissick, Danker and Oshita disclose the method of claim 20; moreover, McKissick discloses that said plurality of text messages received by said service station sent from said plurality of source set top boxes are received via telephone or cable (Paragraph [0013] and [0051] also exhibited on fig 3).

Regarding **claim 25**, McKissick, Danker and Oshita disclose the method of claim 20; moreover, McKissick discloses a source set top box connected via communication means with said service station (Paragraph [0013] [0051] also exhibited on fig 3).

Regarding **claims 26, 27 and 28**, McKissick, Danker and Oshita disclose all the limitations of claims 26, 27 and 28; therefore, claims 26, 27 and 28 are rejected for the same reasons as in claims 6, 7 and 8, respectively.

6. **Claims 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over McKissick in view of Oshita.

Regarding **claim 29**, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058] also exhibited on fig 3. In addition, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058], where messages can be broadcasted from one user's set top box to another. Moreover, a group of set top boxes (100) can be connected to a television distribution facility (104), which includes a messages server (106) that stores, processes and forwards messages from one set top box (100) to another, as shown in

figure 3, which reads on "transmitting means for transmitting a text message from a source set top box to a packetizing means".

It is noted that McKissick fails to explicitly disclose packetizing means for packetizing said text message into a plurality of data packets, wherein said plurality of data packets include said text message, an identifier of said source set top box, and identifier of a destination set top box, and a packet header information; multiplexing means in communication with said packetizing means for multiplexing said plurality of data packets and audio data and video data into an output transport stream; and broadcasting means in communication with said multiplexing means for broadcasting said output transport stream to a destination set top box. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Oshita.

In a similar field of endeavor Oshita discloses a system to enable teletext information to be transmitted and received together with a compressed digital video data signal, where a packet assembler assembles this other information into packets and adds header information, such as sync pattern and flag information to each packet, column 1 lines 39-67, where a packet header includes all the information needed in order for the packet to reach its destination (i.e. destination address, size of the packet, identifiers, etc..) which reads on "packetizing means for packetizing said text message into a plurality of data packets, wherein said plurality of data packets include said text message, an identifier of said source set top box, and identifier of a destination set top box, and a packet header information".

A multiplexer multiplexes the packets with the compressed digital video data stream to generate an output data signal, column 2 lines 3-5, which reads on "a multiplexor in communication with said service station adapted to multiplex said plurality of data packets and audio data and video data into an output transport stream".

The data signal is send and received by the video decoding apparatus, column 2 lines 1-9, which reads on "multiplexing means in communication with said packetizing means for multiplexing said plurality of data packets and audio data and video data into an output transport stream".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of sending information in a single channel, which saves the need to implement more transmission lines where different types of data would be transmitted separately, whereas multiplexing all types of data together would result in a money saving strategy, moreover, providing a central location where the messages are redistributed and organized which allows the distribution facility to keep control of the transactions made by each user.

The data signal is send and received by the video decoding apparatus, column 2 lines 1-9, which reads on "broadcasting means in communication with said multiplexing means for broadcasting said output transport stream to a destination set top box".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of sending information in a

single channel, which saves the need to implement more transmission lines where different types of data would be transmitted separately, whereas multiplexing all types of data together would result in a money saving strategy, moreover, providing a central location where the messages are redistributed and organized which allows the distribution facility to keep control of the transactions made by each user.

Regarding **claim 30**; McKissick and Oshita disclose the communication system of claim 20; moreover, McKissick discloses that said transmitting is done via telephone or cable (Paragraph [0013] and [0051] also exhibited on fig 3; link 18 may be a satellite link, a cable link, a microwave link, or a telephone link).

However, it is noted that McKissick fails to explicitly disclose that the output transport stream is an MPEG-2 format.

Nevertheless, in a similar field of endeavor Oshita discloses that the output transport stream is an MPEG-2 format (Col. 1 lines 62-67, col. 3 lines 7-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of allowing the packets to reach the right recipients implementing a well known video format.

Regarding **claim 31**, McKissick discloses everything claimed as applied above (See claim 29), in addition, McKissick discloses that the television equipment devices may be connected to a television distribution facility, such as a cable system head end,

by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "said broadcasting is done via satellite, cable, or wireless".

Response to Arguments

7. Applicant's arguments filed 05/27/2008 have been fully considered but they are not persuasive.

Regarding **claim 29**, applicant claims that office action, which combines McKissick and Oshita, failed to present evidence that the message is not specifically targeted toward a destination set top box.

However, the examiner maintains that the combination of McKissick and Oshita discloses that the message is targeted toward a destination set top box. More specifically, McKissick discloses that a user can send messages to other users or message recipients, paragraphs [0079] [0123] also exhibited on figures 6B, 17 and 18. Moreover, Oshita fulfills the deficiencies of McKissick, by teaching a packetizing device which multiplexes a message, i.e. teletext, video and audio together, and where the multiplexed stream is broadcasted from a source, i.e. head-end, to the identified users which are part of the distribution network (Col. 1 lines 62-67, col. 2 lines 1-5, col. 3 lines 7-13).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNIOR O. MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Monday - Friday 9am - 5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571)272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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